

In the United States Patent and Trademark Office

Applicants: Berry *et al.*

Serial No.: 10/567,763

Filing Date: 06/09/2006

For: **Microbial Production of L-Ascorbic Acid**

Examiner: Robinson, Hope

Art Unit: 1652

Confirmation No.: 3881

Attorney Docket No.: DSM-17-US

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

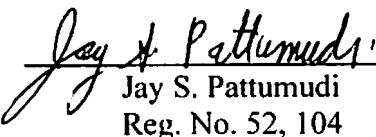
Dear Madam:

In response to the "Notice of Non-Compliant Amendment," dated August 17, 2009, enclosed please find a substitute Amendment, correcting for the incorrect species. No new matter is added by any of these amendments, and the Applicants request entry of the amendments.

It is believed that no fee is required. however, if any fees are required, please charge the same to Deposit Account 50-4255.

Respectfully submitted,

Date 8/20/2009



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SUPPLEMENTAL AMENDMENT AND RESPONSE TO OFFICE ACTION

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Dear Sir:

This Response is provided in response to the Office Communication mailed August 17, 2009. Applicants respond as follows:

Amendment to the Claims begin on page 2.

Remarks begin on page 8.